

©

കേരള സർക്കാർ
Government of Kerala
2017



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്

KERALA GAZETTE

അധികാരികമായി പ്രസിദ്ധീകരിച്ചതുന്തരം

PUBLISHED BY AUTHORITY

വാല്യം 6
Vol. VI

തിരുവനന്തപുരം,
ചോദ്യ
Thiruvananthapuram,
Tuesday

2017 ജൂലൈ 25
25th July 2017
1192 കർക്കടകാം 9
9th Karkadakam 1192
1939 ശ്രാവണം 3
3rd Sravana 1939

നമ്പർ
No. } 30

PART III

Judicial Department

THE HIGH COURT OF KERALA

NOTIFICATION

No. A2-46274/15/A3.

20th June 2017

In exercise of the powers conferred by Article 229 of the Constitution of India, the Honourable the Chief Justice hereby makes the following amendment to the Kerala High Court Service Rules, 2007, namely:

Amendment (C.S. No. 42)

“In the said Rules

1. In the existing clause (v) of sub rule (1) of Rule 11, the sentence “But in the case of minor son or daughter at the time of death, applications received within five years of the death alone shall be considered provided that the deceased had no major son or daughter at the time of death” shall be substituted by the following:

“If the deceased had no major son or daughter at the time of death, application received within three years of the eldest son or daughter attaining the age of majority shall also be considered.”

2. In the existing clause (vi) of sub rule (1) of Rule 11, the sentence “A certificate from the Revenue Officer not below the rank of a Tahsildar that the applicant was the dependent of the deceased shall also be produced along with the application” shall be substituted by the following:

Legal heirship certificate and a certificate from the Revenue Officer not below the rank of a Tahsildar that the applicant was the dependent of the deceased shall also be produced along with the application.”

3. The existing clause (xi) of sub rule (1) of Rule 11 shall be substituted by the following:

“Priority among the applicants shall be determined with reference to the date of submission of valid application subject to the fulfillment of other conditions prescribed in sub rule (1) of Rule 11. If more than one valid application is received on the same day, priority will be determined based on the date of death of the deceased. The application will be considered ‘valid’ only if all the

documents specified in the Rules are enclosed with the application. If any defect is noticed at any stage of the verification of the documents, the date of resubmission of the application after curing the defect will be treated as the date of submission of valid application. Valid applications received as above alone shall be registered in the Register maintained for this purposes. The Chief Justice

will have the discretionary power in appropriate cases to appoint any applicant otherwise than in accordance with the priority recorded in the Register”.

The above amendments shall come into force with immediate effect.

By order,

ASHOK MENON,
Registrar General.

Kochi-682 031.

NOTIFICATION

No. A5-35375/2017.

In exercise of the powers conferred by Article 229 of the Constitution of India, the Honourable the Chief Justice hereby orders incorporation of a new post of ‘Additional Registrar (General Administration)’ in the Kerala High Court Service Rules, 2007 fixing the method of appointment and qualification as indicated hereunder:

Incorporation (C.S. No. 43)

In the Rules

I In Rule 4, under Sub Division 2 of Division I, after the category 1 Registrar (Judicial) and before the category 2 Joint Registrar, the following shall be inserted

“1A. Additional Registrar (General Administration)”.

II In Rule 20(1)(a), between the figure and words-“3A. Registrar (Administration)” and “4. Joint Registrar”, the following figure and words shall be inserted—

“3B. Additional Registrar (General Administration)”.

III In Annexure 1, under Sub Division 2 of Division 1, after the category 1, and before the category 2, the following shall be inserted in columns (1) to (5):—

(1)	(2)	(3)	(4)	(5)
2	1A	Additional Registrar (General Administration)	Promotion from among Joint Registrar and if no suitable hand is available for promotion, by direct recruitment	In the case of direct recruitment: Educational: 1. Degree in Law 2. Degree in Business Management or Business Administration or Judicial Administration Desirable: Three years experience in middle level management

The above notification shall come into force with immediate effect.

By order,

ASHOK MENON,
Registrar General.

Kochi-682 031.

Explanatory Note

(This does not form part of this incorporation but is intended to indicate its general purport)

The Government as per G. O. (Ms.) No. 80/2017/Home dated 11-4-2017 have accorded sanction for creation of a new post of Additional Registrar (General Administration) for the Kerala Judicial Academy. The Honourable the Chief Justice has ordered to incorporate the post of Additional Registrar (General Administration) in the Kerala High Court Service Rules, 2007 specifying the terms of appointment. Hence this Notification.

NOTIFICATION

No. D1-20628/2003.

28th June 2017.

In exercise of the powers conferred by Section 82 of the Arbitration and Conciliation Act, 1996 (Central Act 26 of 1996), the High Court of Kerala hereby makes the following Rules to amend the “Kerala Arbitration and Conciliation (Court) Rules, 1997” issued as per Notification No. R25/96(SS), dated 27th October, 1997 and published in the Kerala Gazette No. 22, dated 1st June, 1999, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the “Kerala Arbitration and Conciliation (Court) (Amendment) Rules, 2017”.

(2) They shall come into force on the date of its publication in the Kerala Gazette.

2. *Amendment to the Rules.*—In the “Kerala Arbitration and Conciliation (Court) Rules, 1997”,—

(1) In rule 2, Sub-rule (c) shall be omitted

(2) In rule 3, for sub-rule (f), the following sub-rule shall be substituted, namely:—

“(f) Separate application shall be filed for interim relief including interim measures under Section 9 of the Act”.

(3) In rule 4, after sub-rule (a), the following sub-rules shall be inserted, namely:—

“(aa) All applications of procedural or interim nature including applications under Section 9 of the Act filed in pending main proceedings shall be registered as Civil Miscellaneous Applications (Arbitration).

(ab) Every application seeking enforcement of the award under Section 36, 49 and 58 of the Act shall be registered as Execution Petition (Arbitration), for short ‘E. P. (Arbitration)’.”

(4) After rule 5, the following rule shall be inserted, namely:—

“5A. *Application for interim measures, etc. by Court.*—(1) When an application is made for an interim measure, under section 9 of the Act, the Court shall in all cases, except where it appears that the object of granting the interim measure would be defeated by the delay, before passing the interim order, direct notice of the application to be given to the opposite party.

Provided that, where it is proposed to make an order by way of interim measure without giving notice of the application to the opposite party, the Court shall record the reasons for its opinion and require applicant—

(a) to deliver to the opposite party, or to send to him by registered post, immediately after the order granting the interim measure has been made, a copy of the application for interim order together with

(i) a copy of affidavit filed in support of the application

(ii) copies of documents on which the applicant relies

(b) to file, on the day on which such interim order is granted or on the day immediately following that day, an affidavit stating that the copies aforesaid have been so delivered or sent.

(2) Where an interim order has been granted without giving notice to the opposite party, the Court shall make endeavour to finally dispose of the application within thirty days from the date on which an application in that behalf has been filed by the aggrieved party.

(3) In the case of an application for interim measure made before initiating arbitral proceedings, if the arbitral proceedings are not initiated within ninety days from the date of the order under Section 9 of the Act, or within such further time as the court may determine, any interim order granted shall stand vacated without any specific order being passed by the Court to that effect.”

By order,

ASHOK MENON,
Kochi-682 031.
Registrar General.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Honourable Supreme Court, in its judgment in M/s. Sundaram Finance Ltd. Vs. M/s. NEPC India Ltd. (AIR 1999 SC 565) held that even before the commencement of arbitration proceedings, the court can grant interim orders u/s 9 of the Arbitration and Conciliation Act, 1996. It also requested the High Courts to frame rules providing for procedure to be followed by the Courts while exercising jurisdiction u/s 9 of the Act. The above amendment is made to achieve the said objective.

QUOTATION NOTICE

[No. 2/2017]

No. F2-0052054/2017.

28th June 2017.

Sealed quotations are invited for the binding and rebinding of Books/Periodicals/Reports/Gazettes in the Library, High Court of Kerala as per the specifications given below for a period of one year (ie. from 25-10-2017 to 24-10-2018).

1. The lowest satisfactory quotation will ordinarily be accepted, but the Registrar General reserves to himself the right to reject all or any of the quotation, without assigning any reason thereof.
2. The successful quotationer will have to deposit a sum of ` 1,000 as Security, immediately on acceptance of the quotation and also to execute an agreement.
3. The successful quotationer will report before the Kerala High Court on all Saturdays except second Saturday for the collection of Books/Periodicals/Reports/ Gazettes for binding unless ordered otherwise.
4. The last date fixed for the receipt of the quotation is 16th August, 2017 at 2.30 p. m. The sealed quotations will be opened by the Registrar General/ Registrar General in charge at 3 p. m. on that day.
5. Further details can be had from this office on any working days during office hours.

Specifications:

1. Rates of Books & Periodicals to be bound in half leather & calico with the name, year, edition, etc. printed in golden letter-open binding sewn.
2. Rates for Gazettes to be bound in half leather & calico with the name, year, etc. printed in ink-open binding sewn.

By order,

Kochi-682 031.

ASHOK MENON,
Registrar General.

NOTIFICATION

No. B1(A)-62/2017.

29th June 2017.

In exercise of the powers conferred by Section 9 (3) of the Code of Criminal Procedure, 1973, the High Court of Kerala hereby appoint the persons mentioned in Column (2) of the Schedule hereto attached to be Additional Sessions Judges to exercise jurisdiction in the Court of Sessions mentioned against their name in column (3) thereof from the date of taking charge.

SCHEDULE

Sl. No.	Name of Officer	Court of Sessions
(1)	(2)	(3)
1	Shri C. Jayachandran, Additional District Judge-II, Kottayam	Kottayam
2	Shri A. Haris, Enquiry Commissioner and Special Judge/Addl. District Judge-II, Thrissur	Thrissur

By order,

K. BABU,
Kochi-682 031. *Registrar (Subordinate Judiciary).*